

BELLA VISTA CITY COUNCIL REGULAR MEETING – JUNE 22, 2020, 6:30PM VIA ZOOM

Call to order by Mayor Christie at 6:30PM

Pledge of Allegiance recited.

City Clerk Jertson called the Roll of Council; Jim Wozniak, John Flynn, Linda Lloyd, Doug Fowler, Larry Wilms and Steve Bourke all present.

Minutes of the May 18, 2020 meeting were approved with a Motion to accept as presented by John Flynn, second by Doug Fowler. Roll call vote was unanimous.

Mayor Christie made some comments about the April Financial report that were sent to the council members and is available for any member of the public to review at city hall. He also reviewed the latest sales tax revenues.

Motion to suspend the rules and read all Ordinances and Resolutions by title only made by Wozniak, second by Fowler. All voted in favor.

OLD BUSINESS

ORDINANCE NO- REPEALING AND REPLACING SECTION 4-27 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO ELIMINATE THE DOG LICENSING REQUIREMENT AND TO ENACT A MANDATORY MICROCHIP REQUIREMENT FOR DOGS.(Third Reading) *Some discussion was held on this version of the Dog licensing requirement. Motion made to table indefinitely by Steve Bourke, second by Larry Wilms. Roll call vote was unanimous to table.*

NEW BUSINESS:

ORDINANCE NO. 2020-05- AMENDING SUBSECTION 109-248(b)(2) OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO REDUCE PERMISSIBLE FENCE HEIGHT CONSTRUCTION FROM FOUR FEET (4') TO THREE FEET (3') IN A FRONT YARD, AND FOR OTHER PURPOSES. *Motion made by Wozniak to go to third and final reading, second by Flynn. Steve Bourke asked that this be delayed another month. Linda Lloyd said she favored moving to 3rd and final. Additional discussion continued. Some clarification was discussed on fence replacement. Approved unanimously. Mayor read for the final time. Motion to approve by Wilms, second by Lloyd. Roll Call vote unanimous.*

ORDINANCE NO-2020-06- AMENDING SUBSECTION 103-49(f) OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO MODIFY CONCRETE REINFORCEMENT REQUIREMENTS IN FOOTINGS AND FOUNDATIONS, AND FOR OTHER PURPOSES. *Larry Wilms suggested that the spacing be changed to 4ft spacing instead of 6ft. Some discussion ensued. Motion was made by Lloyd to move to 3rd and final, second by Wozniak. Roll call vote taken. Wozniak, Bourke, Lloyd, Flynn & Fowler voted aye. Wilms voted nay. Carried 5-1. Motion to adopt by Wozniak, second by Lloyd. Voting Aye were Wozniak, Bourke, Flynn, Fowler and Lloyd. Voting nay was Wilms. Ordinance adopted.*

ORDINANCE NO-2020-07-AMENDING SUBSECTION 103-49(e) OF THE CODE OF

ORDINANCES OF THE CITY OF BELLA VISTA TO REDUCE THE REQUIRED FROST LINE DEPTH FROM TWENTY-FOUR (24) INCHES TO EIGHTEEN (18) INCHES IN NEW CONSTRUCTION, AND FOR OTHER PURPOSES. *Larry Wilms made a comment on the recorded frost line depth in this area. Motion to suspend the rules and move to third and final reading by Lloyd, second by Wilms. Approved unanimously. Motion then made to adopt by Wilms, second by Wozniak. Approved unanimously.*

ORDINANCE NO 2020- AMENDING THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO ADD AN ARTICLE IV-UNSAFE AND HAZARDOUS TREES TO CHAPTER 20-NUISANCES TO REQUIRE THE REMOVAL OF DEAD OR HAZARDOUS TREES. *Some discussion was held and this will move to second reading next month.*

ORDINANCE NO 2020-AMENDING SECTION 109-250 POOLS AND SPAS OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO REQUIRE A FENCE ENCLOSURE AROUND ALL OUTDOOR POOLS (INCLUDING ABOVE- GROUND), SPAS AND HOT TUBS GREATER THAN TWO (2) FEET IN DEPTH TO RESTRICT ACCESS BY CHILDREN. *Some discussion was held and this will move to second reading next month.*

ORDINANCE NO 2020-08- AMENDING SECTIONS 4-25, 4-26 AND 4-27 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO REQUIRE PHYSICAL IDENTIFICATION BE ON A DOG IN THE FORM OF A TAG OR MICROCHIP, TO MODIFY RECLAMATION FEES FOR DOGS IMPOUNDED BY THE CITY, TO ELIMINATE THE DOG LICENSING REQUIREMENT, AND FOR OTHER PURPOSES. *Discussion on this change and the reasons for this version were discussed with many comments made as to the need for this change from what we have. After discussion a Motion to move to 3rd and final reading was made by Wozniak, second by Fowler. Ayes: Lloyd, Flynn, Fowler, Wozniak. Nays: Wilms and Bourke. A motion was made to adopt by Wozniak, second by Flynn. Roll Call Vote resulted in Ayes: Lloyd, Fowler, Flynn, Wozniak. Nays: Wilms and Bourke. Ordinance adopted.*

R2020-31-RESOLUTION- ADOPTING THE NORTHWEST ARKANSAS RAZORBACK GREENWAY OPERATIONS AND MANAGEMENT PLAN. *Discussion was held on making changes to this agreement removing the reference to a 5 mile extension to the Greenway to the Missouri border. Steve Bourke wanted the reference removed on the 5 mile extension. Motion to amend made by Bourke, second by Wilms. Roll call vote taken and defeated by 5 to 1 vote with Bourke voting to approve and Wilms, Fowler, Wozniak, Flynn and Lloyd to defeat. Amendment failed. Motion to approve as presented made by Wozniak, second by Flynn. Approved by Wozniak, Wilms, Flynn, Fowler & Lloyd. Voting nay, Bourke. Resolution approved.*

R2020-32-RESOLUTION- AUTHORIZING THE CITY OF BELLA VISTA TO ENTER INTO THE NORTHWEST ARKANSAS RAZORBACK GREENWAY ALLIANCE AGREEMENT, AN INTERLOCAL COOPERATIVE AGREEMENT PURSUANT TO ARK. CODE ANN. § 25-20-101, ET SEQ. *Mayor Christie asked attorney Kelley to explain the interlocal agreement. Government entities can work together on projects that affect each of the entities. Larry Wilms asked about how representation is determined. One member from each community is normal. Motion to approve made by Wozniak, second by Wilms. Roll call vote was taken and motion was*

approved 5 in favor and one opposed. Council member Bourke voted nay.

R2020-33-RESOLUTION-AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH O.R. COLAN ASSOCIATES, LLC IN THE TOTAL AMOUNT OF \$68,350 FOR PROVISION OF RIGHT-OF-WAY ACQUISITION SERVICES RELATED TO THE MERCY WAY BRIDGE PROJECT. *CDS Director Doug Tapp explained that there are about eight property owners who are affected by this project which involves about 15 parcels. After some discussion a motion was made by Wilms to approve, second by Wozniak. Passed unanimously.*

R2020-34-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH JACKSON BROWN PALCULICT ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES RELATED TO THE CONSTRUCTION OF A NEW FIRE STATION. *Council member Wilms asked how many firms were involved. 14 submitted bids, 8 were interviewed. Additional questions were asked by Wilms. Council member Wozniak made a motion to approve, second by Flynn. Roll call vote was unanimous in favor.*

R2020-35-RESOLUTION-AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH JACKSON BROWN PALCULICT ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES RELATED TO THE CONSTRUCTION OF A NEW FIRE TRAINING FACILITY. *Motion to approve by Wilms, second by Wozniak. Roll call vote was unanimous in favor.*

R2020-36-RESOLUTION- APPROVING THE BELLA VISTA ADVERTISING AND PROMOTION COMMISSION'S APPOINTMENT OF ASHLEY DOZIER AS A TOURISM INDUSTRY POSITION COMMISSIONER TO FILL AN UNEXPIRED TERM ENDING JULY 31, 2020, RESULTING FROM THE RESIGNATION OF RICH SIKER, AND THE SAME APPOINTMENT FOR A FULL TERM BEGINNING AUGUST 1, 2020. *Council member Fowler commented that she will be a great addition to the commission. Council member Flynn also added his thoughts also that she will be excellent. Motion to approve by Wozniak, second by Flynn. Roll call vote was unanimous in favor.*

R2020-37-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH HIGHT JACKSON ASSOCIATES PA FOR ARCHITECTURAL SERVICES RELATED TO THE CONSTRUCTION OF A PUBLIC SAFETY FACILITY. *Motion to approve to approve by Wilms, second by Flynn. Roll call vote was unanimous in favor.*

R2020-38-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO CONTRACTS WITH STEPHENS, INC. (PRIMARY) AND CREWS & ASSOCIATES, INC. (SECONDARY) FOR BOND UNDERWRITERS FOR THE CITY. *Motion to approve by Flynn, second by Wozniak. Roll call vote was unanimous in favor.*

R2020-39-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CEI ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF A FIRE TRAINING FACILITY. *Motion to approve by Wozniak, second by Flynn. Roll call vote was unanimous in favor.*

R2020-40-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CEI ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO

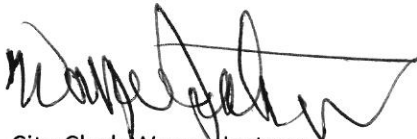
THE CONSTRUCTION OF A NEW FIRE STATION. *Motion to approve by Wozniak, second by Wilms. Roll call vote was unanimous in favor.*

R2020-41-RESOLUTION- AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO A CONTRACT WITH CEI ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES RELATED TO THE CONSTRUCTION OF A PUBLIC SAFETY FACILITY. *Motion to approve by Wilms, second by Wozniak. Roll call vote was unanimous in favor.*

MEETINGS AND ANNOUNCEMENTS:

- The next City Council Work Session will be Monday July 20, 2020-at 5:30PM by Zoom meeting.
- The next Regular meeting of the City Council, Monday July 27, 2020 at 6:30 PM by Zoom meeting
- Planning Commission Work Session will be July 2, 2020 at 4:30PM by Zoom meeting.
- Planning Commission Regular Meeting will be July 13, 2020 at 4:30PM by Zoom meeting.
- Board of Zoning Adjustment will be July 21, 2020 at 5:30PM by Zoom meeting.
- Board of Construction Appeals will be July 14, 2020 by Zoom meeting.

ADJOURNMENT was at 8:01PM


City Clerk Wayne Jertson




Mayor Peter Christie